

AF ZSW
APR 4 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Hawthorne et al.

Serial No.: 09/404,826 Art Unit: 2122

Filed: September 24, 1999 Examiner: Kiss, Eric B.

For: METHOD OF TRANSFERRING FILES AND ANALYSIS OF TRAIN
OPERATIONAL DATA**NOTICE OF APPEAL**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

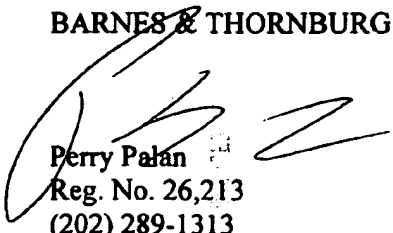
Sir:

In response to the final Office Action dated January 4, 2005, Applicant appeals the final rejection of Claims 1-4, 7, 9, 10, 15-21 and 46-49. A Notice of Appeal with the required fee was previously filed November 14, 2003. Before filing a brief, a Request for Continued Examination was filed. Since the appeal fee was previously paid and no appeal resulted, an additional fee is not due.

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response and shortages in other fees be charged, or any overpayment in fees be credited, to the Account of Barnes & Thornburg, Deposit Account No. 02-1010 (509/35644).

Respectfully submitted,

BARNES & THORNBURG



Perry Palan
Reg. No. 26,213
(202) 289-1313

Enclosure

74947v2

BEST AVAILABLE COPY